

REMARKS

The Office action dated August 29, 2006, has been received and carefully reviewed.

As an initial matter, the Office action was discussed between the Applicants' attorneys and the Examiner during a personal interview on October 25, 2006, and subsequently during several telephone discussions, for which, the Applicants' attorneys would like to thank the Examiner for taking the time to discuss this case and for the Examiner's helpful comments and suggestions.

As a result of the Office action, claims 1-3, 11, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Schroeder. Claims 16, 17, 19-22, and 25-29 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 6,356,073 to Hamaoka. Claims 16-18, 20, 21, 23, and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 6,483,296 to Hamaoka. Claims 1-11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over '073 in view of US 2002/0121894 to Ooki. Finally, claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schroeder. These references have been carefully reviewed but are not believed to show or suggest Applicants' invention as now claimed in any manner. Reconsideration and allowance of the pending claims, and examination and allowance of the newly added claims, is

therefore respectfully requested in view of the following remarks.

As a preliminary matter, newly added claims 30 and 31 have been written in accordance with the discussions during the personal interview, and are believed to patentably distinguish over the Hamaoka references and Schroeder, taken individually or in combination. More specifically, the following limitations in claim 30 are believed to distinguish over the Hamaoka references and Schroeder: "wherein there is no magnetic material between an inner peripheral surface of the at least two opposing magnets and around the sensor, and between the opposite end portions." Similarly, it is believed that the limitations "wherein there is no magnetic material around the sensor and within at least one of the gaps" in claim 31 would distinguish the claimed invention over the Hamaoka references and Schroeder.

Moreover, claims 1, 16, 20, and 27 have been amended along the lines of what was discussed during the interview, and are now believed to be patentable over the prior art. More specifically, claim 1 has been amended to include the following limitations: ". . . at least two magnets attached to the inner surface of the magnet support, . . . wherein there is no magnetic material along an inner peripheral surface of the at least two magnets, and the at least two magnets are not

continuous in a circumferential direction . . ." Schroeder fails to disclose that the magnets are positioned on the inner surface of a magnetic support. Hamaoka references fail to disclose a device without magnetic material along the inner peripheral surface of the magnets.

Claim 16 has been amended to include the following limitations: ". . . a first and second magnet having poles and attached to the inner surface of the magnet support to produce a magnetic field across a center of rotation, . . . wherein the first and second magnets are not continuous with each other in the circumferential direction and there is no magnetic material between the poles of the magnets." Claim 20 has been amended to include the following limitations: ". . . wherein the first and the second magnets are not continuous with each other in the circumferential direction and there is no magnetic material between the at least two magnets in a diametric direction . . ." And, claim 27 has been amended to include the following limitations: ". . . wherein there is no magnetic material along an inner peripheral surface of the at least two magnets, and the at least two magnets are not continuous in a circumferential direction . . ." In view of the above amendments, Applicants respectfully submit that claims 1, 16, 20, and 27 are now patentable over the prior art.

Claims 2-13 and 15 are dependent from claim 1 and are therefore believed to be allowable for the same reasons as claim 1. Claims 17-19 are dependent from claim 16 and are therefore believed to be allowable for the same reasons as claim 16. Claims 21-16 are dependent from claim 20 and are therefore believed to be allowable for the same reasons as claim 20. And, claims 28-29 are dependent from claim 27 are therefore believed to be allowable for the same reasons as claim 27.

Applicants submit that the application is now in condition for allowance, and an early notice to that effect is earnestly solicited. If any issues remain that can be clarified by telephone, Examiner Whittington is encouraged to contact Applicants' Representative at the number indicated below.

Also, consideration of the concurrently filed Supplemental Information Disclosure Statement is respectfully requested.

Respectfully submitted,
DENNISON, SCHULTZ & MACDONALD



By:

Amir H. Behnia
Reg. No. 50,215
(703) 837-9600 Ext. 16

Date: 12/29/06